S.B. CRIMINAL MISC. PETITION NO.115/2007
(Dinesh Vs. State & Ors.)

Date of order : 9.4.2007

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. Sandeep Mehta, for the petitioner.
Mr. Ashok Upadhyay, Public Prosecutor.
Mr. Varun Gupta, for the non-petitioner.

Heard learned counsel for the parties and gone through the FIR.

I am not inclined to interfere with the investigation. The misc. petition is dismissed. However, the Investigating Officer is at liberty to make the investigation in accordance with the law. The petitioner is also directed to cooperate in the investigation and to appear before the Investigating Officer as and when called upon to do so by the Investigating Officer.

It is contended by the learned Public Prosecutor that two sets of evidence has come on record, therefore, the conclusion is yet to be arrived at by the Investigating Officer.

In these circumstances, learned Public Prosecutor is directed to sent the case-diary back to the Investigating Officer immediately today itself and the Investigating Officer may complete the investigation and in the event of forming any opinion against the petitioner, the petitioner may be given notice of one week.

(GOPAL KRISHAN VYAS), J.

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